IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2298 OF 2007

Salauddin Abdul Khalil Ansari ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.Ganesh Gole, advocate for the applicant
Mr.S.D.Shinde, APP for the State

CORAM : V.C.DAGA, J.

DATE : 26TH JULY, 2007

P.C.

1. Heard learned counsel for the applicant. It is not in dispute that earlier application moved for bail came to be withdrawn on 30th April, 2007. After having seen the F.I.R and other material available on record the present applicant can very well be connected with the offence alleged under Sections 307, 504 r/w.34 of the Indian Penal Code. It is no doubt true that the another accused has already been granted bail by the order dated 4th April, 2007. Further, while granting bail this Court categorically recorded the role attributed to

the applicant, who had assaulted Shafique by fist blows.

2. Learned counsel for the applicant relied upon a Judgment of this Court in the case of **Kamlakar alias Siddharth Baburao Kelkar Vs State of Maharashtra**, reported in **1997 II LJ 75** contended that even under the offence under Section 307 of the Indian Penal Code the bail was granted by the learned single Judge of this Court. It is no doubt true that the learned single Judge of this Court has observed that pendency of cases had resulted in delayed the trial. As of today with the assistance of fast track Court, cases are being taken up expeditiously and under these circumstances, the said Judgment would be of no assistance. The learned counsel for the applicant has also relied upon another Judgment of the Apex Court in the case of **Vivek Kumar Vs State of Uttar Pradesh**, reported in **2000 ALL MR (Cri) 1238.** In that case the applicant was in jail for a long period even that time the trials used to take considerable time. For the reasons recorded above

I do not think that this can be the case which would help the applicant.

3. The learned APP is also right in contending that there are eight eye witnesses and possibility of pressurising eye witnesses cannot be ruled out. Under these circumstances, I am not inclined to grant bail to the applicant. The trial be treated as expedited.

(V.C.DAGA, J.)